

01129/59430-JDB

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JOE F. JENKINS and JOAN J. JENKINS,)
Individually,)

Plaintiffs,)

vs.)

No. 1-05-1072 T/An

ALDERMAN GREG HORTON, JIM PILLOW,)
MAYOR GEORGE KILLEBREW and)
THE CITY OF MILAN,)

Defendants.)

RULE 16(b) SCHEDULING ORDER

Pursuant to the Scheduling Conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (Rule 26(a)(1)): August 12, 2005

JOINING PARTIES:

For Plaintiff: September 29, 2005

For Defendants: October 28, 2005

AMENDING PLEADINGS:

For Plaintiff: September 29, 2005

For Defendant: October 28, 2005

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 7/19/05

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COMPLETING ALL DISCOVERY: February 10, 2006

(a) **Request for Production, Interrogatories, and Requests**

for Admission: February 10, 2006

(b) **Expert Disclosure (Rule 26(a)(2)):**

(i) Plaintiff's Experts: November 10, 2005

(ii) Defendant's Experts: December 9, 2005

(iii) Supplementation under Rule 26(e): December 19, 2005

(c) **DEPOSITIONS OF EXPERTS:** February 10, 2006

FILING DISPOSITIVE MOTIONS: March 7, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a) For Plaintiff: April 21, 2006

(b) For Defendant: May 8, 2006

Parties shall have ten (10) days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last three (3) days and is **SET for JURY TRIAL June 7, 2006, at 9:30 a.m.** A joint pretrial order is due on May 26, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the Court at least ten (10) days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allows 30 days for a party

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to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery. Additionally, each party will be permitted to submit Thirty-five (35) interrogatories and each party will be permitted to conduct Twenty (20) depositions.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the Court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required. The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

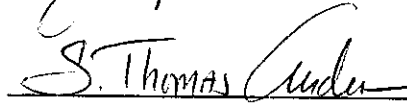
The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

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This Order has been entered after consultation with trial counsel pursuant to Notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

This the 18th day of July, 2005.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

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Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 1:05-CV-01072 was distributed by fax, mail, or direct printing on July 19, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT